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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

STATE OF UTAH, *et al.*, :
Plaintiffs, :
: v. :
DONALD L. EVANS, *et al.*, :
Defendants, :
: and :
STATE OF NORTH CAROLINA, *et al.*, :
Defendant-Intervenors. :
: :
Case No. 2:01-CV-292G
NORTH CAROLINA
INVERVENORS'
MOTION TO DISMISS AND
FOR SUMMARY JUDGMENT

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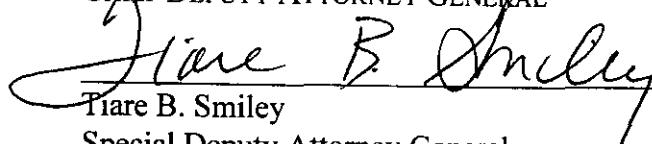
Now Come North Carolina Intervenors and, pursuant to Fed. R. Civ. P. 12(b)(6) and 56 and DUCivR 56-1, respectfully move the Court to dismiss and for summary judgment on the grounds that:

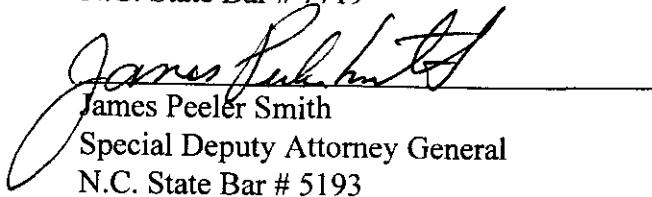
1. Plaintiffs' request for a recalculation of the 2000 Census and a new apportionment is barred by the doctrine of laches.
2. The Census Bureau's use of the statistical method of imputation in the 2000 census does not violate § 195 of the Census Act, 13 U.S.C. § 1, *et seq.*
3. The Census Bureau's use of the statistical method of imputation in the 2000 census does not violate Art. 1, § 2, cl. 3 of the Constitution.

This the 10th day of July, 2001.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **North Carolina Intervenors' Motion to Dismiss and for Summary Judgment** have been served by Federal Express, Priority Overnight delivery, next business day, addressed as follows:

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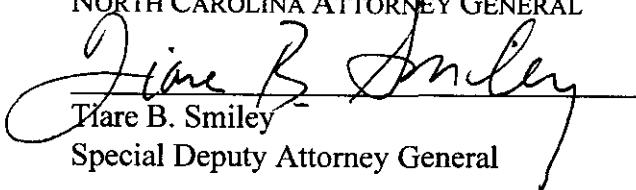
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This the 10th day of July, 2001.

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